

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

CHRISTIAN LADAMIAN KNIGHT,  
#113013

PLAINTIFF

v.

4:20CV00145-LPR-JTK

SALINE COUNTY SHERIFF'S DEPARTMENT, et al.

DEFENDANTS

**ORDER**

The Court has received proposed findings and recommendations ("Recommendation") from United States Magistrate Judge Jerome T. Kearney. There has been no formal objection, but (as the Court explains below) there has been additional record activity. Because of that additional activity, the Court REJECTS the Recommendation so that Judge Kearney may examine the matter further.


When Mr. Knight initially filed his Complaint, he did not pay the required filing fee and his IFP application was incomplete. (Docs. 1, 2). Accordingly, on February 18, 2020, the Court ordered that Mr. Knight either pay the filing fee or submit a completed IFP application. (Doc. 3). The Court told Mr. Knight that his case would be dismissed if he did not do this within 30 days of the date of the Order. (*Id.* at 2 n.2). The 30-day deadline expired on March 19, 2020. That day came and went. On March 20, 2020, Judge Kearney filed his recommended dismissal of the case, without prejudice, because Mr. Knight had failed to comply with the above-mentioned Court Order. (Doc. 5).

Given what Judge Kearney knew at the time, that recommended dismissal was correct. However, on the same day that Judge Kearney's recommended dismissal was filed, the Clerk also

entered on the record an updated IFP application from Mr. Knight. (Doc. 4). On the surface of it, the new IFP Application looks to be more complete. And, given the various dates at play, the Court surmises that Mr. Knight mailed his IFP application from prison before the 30-day deadline expired. The Court will therefore reject the Recommendation and send this case back to Judge Kearney for further examination.<sup>1</sup>

IT IS, THEREFORE, ORDERED that the Recommendation is REJECTED and the case is returned to Judge Kearney for further proceedings consistent with this Order.

IT IS SO ORDERED this 15th day of April 2020.



LEE P. RUDOFSKY  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court notes that Judge Kearney is free to conclude and recommend, upon further examination, that the new IFP application is inadequate. Judge Kearney is also free to conclude and recommend that the case should be dismissed at this stage for any other reason. The Court is only rejecting the Recommendation so that Judge Kearney may re-examine the matter in light of the IFP application that was filed on the same day that Judge Kearney's Recommendation was filed.